

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

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6	UNITED STATES OF AMERICA,	)	No. CR-08-173-RHW-6
7		)	
8	Plaintiff,	)	<i>UNOPPOSED</i>
9		)	ORDER GRANTING MOTION AND
10	v.	)	SETTING CONDITIONS
11		)	OF RELEASE
12	RICKY E. GRUBB,	)	<input checked="" type="checkbox"/> Motion Granted
		)	(Ct. Rec. 120)
	Defendant.	)	
		)	<input checked="" type="checkbox"/> Action Required

Date of Motion hearing: February 12, 2009.

**IT IS ORDERED** that the *unopposed* release of the Defendant is subject to the following:

**STANDARD CONDITIONS OF RELEASE**

(1) Defendant shall not commit any offense in violation of federal, state or local law. Defendant shall advise the supervising Pretrial Services Officer and defense counsel within one business day of any charge, arrest, or contact with law enforcement.

(2) Defendant shall immediately advise the court, defense counsel and the U.S. Attorney in writing before any change in address and telephone number.

(3) Defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed.

(4) Defendant shall sign and complete A.O. 199C before being released and shall reside at the address furnished.

(5) Defendant shall not possess a firearm, destructive device or other dangerous weapon.

(6) Defendant shall report to the United States Probation Office before or immediately after release and shall report as often as they direct, at such times and in such manner as they direct. Defendant shall contact defense counsel at least once a week.

(7) Defendant is further advised, pursuant to 18 U.S.C. § 922(n),

1 it is unlawful for any person who is under indictment for a crime  
 2 punishable by imprisonment for a term exceeding one year, to  
 3 possess, ship or transport in interstate or foreign commerce any  
 firearm or ammunition or receive any firearm or ammunition which has  
 been shipped or transported in interstate or foreign commerce.

#### 4 BOND

5 (8) Defendant shall:

6 ☐ Execute an unsecured appearance bond in the amount of  
 7 \_\_\_\_\_ dollars  
 (\$\_\_\_\_\_) in the event of a failure to appear as required or  
 8 to surrender as directed for service of any sentence imposed.

9 ☐ Execute an unsecured appearance bond, to be co-signed by  
 \_\_\_\_\_, in the amount of  
 10 \_\_\_\_\_ dollars  
 (\$\_\_\_\_\_) in the event of a failure to appear as required or  
 11 to surrender as directed for service of any sentence imposed.

12 ☐ Execute: ☐ \$\_\_\_\_\_ corporate surety bond  
 13 ☐ \$\_\_\_\_\_ property bond  
 14 ☐ \$\_\_\_\_\_ cash bond  
 15 ☐ \$\_\_\_\_\_ percentage bond, with  
 \$\_\_\_\_\_ paid in cash

#### 16 ADDITIONAL CONDITIONS OF RELEASE

17 Upon finding that release by one of the above methods will not by  
 18 itself reasonably assure the appearance of the Defendant and the  
 19 safety of other persons and the community,

20 **IT IS FURTHER ORDERED** that the release of the Defendant is subject  
 21 to the following additional conditions:

22 ☐ (9) The Defendant is placed with:

23 \_\_\_\_\_  
 Name of person or organization

24 \_\_\_\_\_  
 Address

25 \_\_\_\_\_  
 City and State

\_\_\_\_\_ Tele. Number

26 \_\_\_\_\_  
 Signature

\_\_\_\_\_ Date

27 who agrees to sign a copy of this Order, to be kept in Pretrial

**Services' file;** supervise the Defendant consistent with all the conditions of release; use every effort to assure the appearance of the Defendant at all scheduled court proceedings; and notify the court immediately in the event the Defendant violates any conditions of release or disappears.

☐ (10) Maintain or actively seek lawful employment.

☐ (11) Maintain or commence an education program.

☐ (12) Surrender any passport to Pretrial Services and does not apply for a new passport.

☒ (13) Defendant shall remain in the:

☒ Eastern District of Washington or ☐ State of Washington while the case is pending. On a showing of necessity, Defendant may obtain prior written permission to leave this area from the United States Probation Office.

☐ Exceptions:

☐ (14) Avoid all contact, direct or indirect, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to:

☐ (15) Avoid all contact, direct or indirect, with known felons.

☐ (16) Undergo medical or psychiatric treatment and/or remain in an institution as follows:

☐ (17) Refrain from: ☐ any ☐ excessive use of alcohol

☐ (18) There shall be no alcohol in the home where Defendant



1 resides.

2 ☐ (19) There shall be no firearms in the home where Defendant  
3 resides.

4 ☐ (20) Refrain from use or unlawful possession of a narcotic drug  
5 or other controlled substances defined in 21 U.S.C. § 802, unless  
6 prescribed by a licensed medical practitioner.

7 ☐ (21) Except for employment purposes, Defendant shall not have  
8 access to the internet.

9 ☐ (22) Defendant may not be in the presence of minors, unless a  
10 responsible adult is present at all times.

#### 11 **SUBSTANCE ABUSE EVALUATION AND TREATMENT**

12 If Defendant is required to submit to a substance abuse  
13 evaluation, inpatient or outpatient treatment, the following shall  
14 apply:

15 Defendant shall complete treatment indicated by an evaluation or  
16 recommended by Pretrial Services and shall comply with all rules of  
17 a treatment program. Defendant shall be responsible for the cost of  
18 testing, evaluation and treatment, unless the United States  
19 Probation Office should determine otherwise. The United States  
20 Probation Office shall also determine the time and place of testing  
21 and evaluation and the scope of treatment. If Defendant fails in  
22 any way to comply or cooperate with the requirements and rules of a  
23 treatment program, Pretrial Services shall notify the court and the  
24 U.S. Marshal, who will be directed to immediately arrest the  
25 Defendant.

26 Defendant shall participate in one or more of the following  
27 treatment programs:

28 ☒ (23) **Substance Abuse Evaluation:** Defendant shall undergo a  
substance abuse evaluation:

☐ if directed by a U.S. Probation Officer.

☒ as directed by a U.S. Probation Officer.

☐ Prior to release, Defendant must have an appointment for a  
substance abuse evaluation, and the appointment must be  
confirmed to the court by Pretrial Services. Defendant will  
be released:

☐ one day prior to, or ☐ on the morning of his appointment.

☐ (24) **Inpatient Treatment:** Defendant shall participate in an intensive inpatient treatment program.

☐ Prior to release, an available bed and date of entry must be confirmed by Pretrial Services.

☐ Defendant will be released to an agent of the inpatient program on \_\_\_\_\_.

☐ Prior to release from inpatient treatment, an outpatient treatment program must be presented to the court. If Defendant does not have a structured outpatient treatment program in place prior to conclusion of her inpatient treatment, Defendant automatically will go back into the custody of the U.S. Marshal.

☐ Following inpatient treatment, Defendant shall participate in an aftercare program.

☐ (25) **Outpatient Treatment:** Defendant shall participate in intensive outpatient treatment.

☐ Prior to release, an appointment for Defendant's first counseling session must be made and confirmed by Pretrial Services. Defendant will be released:

☐ one day prior to, or ☐ on the morning of his appointment

☒ (26) **Other:** Defendant shall resolve all warrant  
matters within 30 days ; to be confirmed  
by pretrial services .

☒ (27) **Prohibited Substance Testing:** If random urinalysis testing is not done through a treatment program, random urinalysis testing shall be conducted through Pretrial Services, and shall not exceed

1 **six (6) times per month.** Defendant shall submit to any method of  
2 testing required by the Pretrial Service Office for determining  
3 whether the Defendant is using a prohibited substance. Such methods  
4 may be used with random frequency and include urine testing, the  
5 wearing of a sweat patch, a remote alcohol testing system, and/or  
6 any form of prohibited substance screening or testing. Defendant  
7 shall refrain from obstructing or attempting to obstruct or tamper,  
8 in any fashion, with the efficiency and accuracy of prohibited  
9 substance testing. Full mutual releases shall be executed to permit  
10 communication between the court, Pretrial Services, and the  
11 treatment vendor. Treatment shall not interfere with Defendant's  
12 court appearances.

13 **HOME CONFINEMENT/ELECTRONIC/GPS MONITORING**

14 ☐ (28) Defendant shall participate in one or more of the following  
15 home confinement program(s):

16 ☐ **Electronic Monitoring.** The Defendant shall participate in a  
17 program of electronically monitored home confinement. The  
18 Defendant shall wear, at all times, an electronic monitoring  
19 device under the supervision of U.S. Probation. In the event the  
20 Defendant does not respond to electronic monitoring or cannot be  
21 found, the U.S. Probation Office shall forthwith notify the  
22 United States Marshals' Service, who shall immediately find,  
23 arrest and detain the Defendant. The Defendant shall pay all or  
24 part of the cost of the program based upon ability to pay as  
25 determined by the U.S. Probation Office.

26 ☐ **GPS Monitoring.** The Defendant shall participate in a program  
27 of GPS confinement. The Defendant shall wear, at all times, a  
28 GPS device under the supervision of U.S. Probation. In the event



1 the Defendant does not respond to GPS monitoring or cannot be  
2 found, the U.S. Probation Office shall forthwith notify the  
3 United States Marshals' Service, who shall immediately find,  
4 arrest and detain the Defendant. The Defendant shall pay all or  
5 part of the cost of the program based up ability to pay as  
6 determined by the U.S. Probation Office.

7 ☐ **Curfew.** Defendant shall be restricted to his/her residence:

8 ☐ every day from \_\_\_\_\_ to \_\_\_\_\_

9 ☐ as directed by the Pretrial Services Office

10 ☒ **Home detention.** Defendant shall be restricted to his/her  
11 residence at all times except for ~~employment~~ education,  
12 religious services; medical, substance abuse, or mental health  
13 treatment; attorney visits; court appearances; case-related  
14 matters; court-ordered obligations; or other activities as pre-  
15 approved by the Pretrial Services Office or supervising officer.

16 ☐ Maintain residence at a halfway house or community corrections  
17 center, as deemed necessary by the Pretrial Services Office or  
18 supervising officer.

19 DATED February 12, 2009.

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21 \_\_\_\_\_  
22 CYNTHIA IMBROGNO  
23 UNITED STATES MAGISTRATE JUDGE  
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